

12-21-01

Customer No. 000959

CPA/3763# REQUEST FOR CPA

REQUEST FOR CONTINUED PROSECUTION APPLICATION (CPA) UNDER 37 CFR 1.53(d)
(former Rule 1.62)#15
WA 12/27/01

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:	PRIOR APPLICATION SERIAL NUMBER: 09/114,810	PRIOR APPLICATION FILING DATE: JULY 13, 1998
CMZ-117CPA	CLASS:	SUBCLASS:	EXAMINER: RODRIGUEZ, C.
			ART. UNIT: 3763

COMMISSIONER FOR PATENTS
BOX CPA
WASHINGTON, DC 20231RECEIVED
DEC 26 2001
MAIL ROOM

CERTIFICATION UNDER 37 CFR 1.10

Date of Deposit: December 17, 2001Mailing Label Number: EL 931 674 554 US

I hereby certify that this 37 CFR 1.53(d) request and the documents referred to therein as enclosed are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and addressed to the Commissioner for Patents, Box CPA, Washington, D.C. 20231.

Larry Taylor

Name of Person Mailing Paper

Signature of Person Mailing Paper

Dear Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR 1.53(d), of pending prior application serial no. 09/114,810 filed on July 13, 1998, entitled ULTRASOUND-MEDIATED DRUG DELIVERY, which was filed by the following named inventor(s).

<u>FULL NAME OF INVENTOR</u>	<u>RESIDENCE ADDRESS</u>	<u>CITIZENSHIP</u>
Anthony Atala	74 Westerly Road, Weston, MA 02493	USA
	<u>POST OFFICE ADDRESS</u>	
<u>FULL NAME OF INVENTOR</u>	<u>RESIDENCE ADDRESS</u>	<u>CITIZENSHIP</u>
Marcelle Machluf	34a Harvard Avenue, #2, Brookline, MA 02146	Israel
	<u>POST OFFICE ADDRESS</u>	

The above-identified prior application in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this Continued Prosecution Application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

- ☒ This application discloses only subject matter disclosed in the prior application whose particulars are set out above and the inventor(s) in this application are
☒ the same, or
☐ less than those named in the prior application. Please delete the following named inventors:
- ☐ Enter the amendment previously filed on _____ under 37 CFR 1.116 but unentered, in the prior application.
- ☐ A preliminary amendment is enclosed.

12/26/2001 AWONDAF1 00000029 09114810

01 FC:231
02 FC:202
03 FC:204370.00 OP
42.00 OP
140.00 OP

The filing fee is calculated on the basis of the claims existing in the prior application as amended at 3 above.

	NUMBER OF CLAIMS FILED			NUMBER EXTRA
TOTAL	* 15	MINUS	** 20	= 0
INDEP.	* 4	MINUS	*** 3	= 1
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS				

SMALL ENTITY	
RATE	FEE
x 9 =	\$0.00
x 42 =	\$ 42.00
+140 =	\$140.00
BASIC FEE	\$370.00
TOTAL	\$552.00

SMALL ENTITY	
RATE	FEE
x 18 =	\$0.00
x 84 =	\$0.00
+ 280 =	\$0.00
BASIC FEE	\$0.00
TOTAL	\$0.00

4. ☒ The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 and 1.17 which may be required, or credit any overpayments, associated with this communication, to Deposit Account No. 12-0080. For this purpose a duplicate of this document is enclosed.

5. ☒ A check in the amount of \$552.00 is enclosed for payment of the filing fee.

6. ☒ A verified statement claiming small entity status was filed in the parent application Serial No. 09/114,810 on July 13, 1998 and is still deemed proper, and its benefit under 37 CFR 1.28(a) is hereby claimed.

7. ☐ Priority of application Serial No. _____, filed on _____, in _____, is claimed

8. ☒ The prior application is assigned of record to: Children's Medical Center Corporation recorded October 2, 1998, Reel 9502 Frame 0624-0626.

9. ☒ The power of attorney in the prior application is to Lahive & Cockfield, LLP.

10. ☒ A request for a five (5) month extension of time has been submitted in the parent application, Serial No. 09/114,810, in order to establish copendency with the present application (a copy of the request for extension is enclosed).

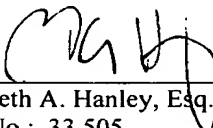
11. ☒ Also enclosed: return postcard

12. ☒ Address all future communications (may only be completed by applicant or attorney or agent of record) to Elizabeth A. Hanley, Esq. at Customer No. 000959, whose address is:

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, MA 02109

It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if information or access is available to any one of the application in the file wrapper of a 37 CFR 1.53(d) application be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file wrapper.

December 17, 2001
Date


Elizabeth A. Hanley, Esq.
Reg. No.: 33,505
Attorney for Applicants